

The purpose of this Text Amendment is not to waive, relax or re-interpret zoning stipulations or ordinance provisions, but rather to provide Code Enforcement with an additional tool to expedite the resolution of zoning ordinance violations. The Administrative Citation process was put in place when the Property Maintenance Ordinance was revised in 2002. The rationale to adopt this procedure was to allow the Code Inspector the ability to issue an Administrative Citation (with automatic fines--much like a parking ticket) in lieu of sending the complaint to the Prosecutor, thus expediting our ability to obtain compliance. The Administrative Citation process does not take away our ability to enforce the ordinance via the Courts, but is designed to be an additional tool for enforcement.

At the time of the adoption of the Administrative Citation process, it was decided to "test" this enhanced enforcement procedure with violations of the Property Maintenance Ordinance before extending it to the Zoning Ordinance. Since that time, we have seen quicker resolution of violations--primarily because the violator knows that after the first Notice of Violation / Compliance Order is issued, the next step is to receive a Citation with automatic fines sanctioned.

Currently, our only enforcement vehicle for Zoning Ordinance violations is to send it to the Court where the sanctions (fines) are the same, but the process takes much longer to obtain resolution.

The Hearing Officer is contracted with the City and has very narrow authority. The Hearing Officer can rule on three things:

- is the complaint valid--was the proper section(s) of the Ordinance cited
- was the defendant given proper notification of the violation and remedies to correct it
- if the violation is corrected by the Hearing date, the Hearing Officer has the discretion to reduce the fines by 50%

The Hearing Officer does not have the authority to "interpret" the Ordinance or any stipulations attached to a Zoning Case and it is likely that we will still utilize the Court for oversight of such situations.

This change will allow us to expedite the enforcement of issues such as front yard parking violations, home occupation violations and violations of Use Permits.